

**APPROVED MINUTES
YORK COUNTY PLANNING COMMISSION**

Work Session
York Hall – East Room
October 29, 2003

Members

Nicholas F. Barba
John R. Davis
Frederick W. Harvell
Alexander T. Hamilton
Robert D. Heavner
Alfred E. Ptaszniak, Jr.
Andrew A Simasek

(Staff attending: Maggie Costello, Tim Cross, Anna Drake, Al Maddalena, Amy Parker, Joe Sisler, Mark Carter)

Chairman Simasek called the meeting to order at 6:30. All members were present.

Chesapeake Bay Preservation Area Regulations

Mr. Carter explained that the Chesapeake Bay Local Assistance Board (CBLAD) has amended the regulations, which local governments must implement, and that changes to the provisions contained in the York County Zoning Ordinance are necessary in order to conform to the revised state regulations. He said the state-imposed deadline for adoption is December 31st and noted that the issue is only now coming to the Commission because CBLAD did not adopt the final policy guidance until September 15th. He noted that most of the changes being proposed are mandatory in order to conform the County's ordinance to the state regulations. Some changes are recommended to improve organization and for clarification, and in a few cases there are alternative approaches that could be taken. He said that Joe Sisler and Anna Drake from the Department of Environmental and Development Services would discuss the recommended changes and respond to questions.

Anna Drake, Manager of Environmental Programs, and Joe Sisler, Manager of Engineering Services, provided a thorough description of the changes to Section 24.1-372 of the Zoning Ordinance that are being recommended. Ms. Drake noted that the most significant change that CBLAD is requiring deals with perennial streams and that the new regulations mandate that an RPA buffer be imposed along any stream or water body that is subject to perennial flow. As a result, the scope of coverage of the Chesapeake Bay regulations will expand considerably in York County. She provided examples of some new areas that will become subject to the regulations and described some of the impacts on property owners. She also noted that the new provisions will increase the staff workload considerably since many more field inspections and site consultations will be necessary. Ms. Drake and Mr. Sisler noted that additional staff resources will be needed.

Ms. Drake explained several of the optional provisions being recommended, including the proposal to require an offset from the RPA equal to the applicable yard requirement for newly created lots and the proposal to include a civil penalties clause. The Commission concurred with both of these recommendations, noting that the setback offset would ensure that future lot owners would have a usable lot area, and that the civil penalties clause would serve as an effective deterrent to violations.

Ms. Drake noted that there were still some minor adjustments that need to be made to the draft and that those would be incorporated in the version included in the November 12th agenda package.

The Commission commended Ms. Drake and Mr. Sisler for their very thorough briefing and explanation of the proposed amendment.

Landscaping/Parking/Signs Amendments

Mr. Carter noted that the proposed amendments to the landscaping, parking and signs sections were an outgrowth of some Planning Division research done several years ago, the input received from Board and Planning Commissioners in their responses to the zoning questionnaire, and observations/input from the Division of Development and Compliance. He said that the amendments were intended to simplify and clarify and to provide some additional design flexibility. Discussion concerning each of the subject areas was as follows:

Landscaping

- **Landscape Credit System:** The major proposed change involves the creation of a “landscape credit system” to replace the current planting ratio requirements. Based on Board input and reflecting comments received about the current requirements, the proposed system would, in most cases, require approximately the same number of trees, but fewer shrubs, than the current standards. In addition, the system would provide the opportunity for “credits” to be earned by planting fewer but larger trees, thus giving landscape designers options to better accommodate the particular characteristics and landscape needs of a site. In addition, revised lists of recommended landscape species have been developed, with assistance from the Extension Agent and a landscape consultant, to assist in determining suitability of different species for different applications (e.g., parking lots, screening, etc.) and to indicate space needs for initial planting and after 10 years of growth. The intent of this information is to avoid crowding of landscaping that hinders good plant growth, obscures desirable views, and ultimately requires severe pruning or removal. The Commission reviewed the comparisons provided by staff of the effect of the current and proposed standards on several sites recently developed. Also, the Commission discussed how the proposed credit system and York’s total planting requirements would compare with other jurisdictions. It was noted that in a comparison with Chesapeake, Stafford, James City, Prince William Loudoun,

Chesterfield and Newport News several years ago, York's current standards were less than all except Newport News.

The Commission expressed general support for the proposed credit system and the flexibility it would provide. Mr. Ptasznik said he supported the concept but was still concerned that trees may become overcrowded where they reach full maturity. Based on this concern, staff was asked to look at whether the proposed credits should be adjusted to encourage increased spacing for trees that will become very large at maturity.

- **Transitional Buffers:** The Transitional Buffer provisions are proposed to be modified to require the buffer to be located entirely on residential property if undeveloped residential and non-residential properties abut one another. It was noted that this proposal is intended to maximize the developability of the non-residential parcel, which most often has the higher land value as well. The Commission discussed the potential impact of this proposal on already platted (but undeveloped) residential lots and concluded that it could create a hardship by reducing buildable/usable area. Conversely, the impact on unsubdivided residentially-zoned acreage might not be as great since the buffer could be incorporated into common open space as part of a cluster development. The Commission asked staff to review this provision and propose an alternative that would not create a hardship for already platted residential prosperities. In addition, the Commission discussed a recent example involving a commercial rezoning request and asked staff to develop language to ensure that the Transitional Buffer would be the responsibility of the property being rezoned and not the adjacent residential property. Mr. Simasek expressed some concern about the proposal, which, he noted, would burden residential property owners with a buffer requirement caused by more intensive development on abutting property.

Also discussed was the proposal to allow the width of Transitional Buffers to be reduced by 25% if berm is used. Mr. Carter said that staff would like to suggest some minimum height requirements for the berms and would provide a recommendation to the Commission.

- **Greenbelts:** Mr. Carter noted that since this material had been prepared the County had received a letter from the Regional Issues Committee encouraging York, James City and Williamsburg to consider coordinating their "greenbelt" widths. Currently, York's required greenbelt width is 35 feet while James City prescribe 50 feet for nonresidential and 150 for residential corridors and Williamsburg requires 50 feet in all cases except Route 199, where the width is 75 feet. Mr. Simasek, the Commission's representative on the RIC, commented on some of the discussion about this issue and said this would be an appropriate time to consider the proposal. The Commission discussed the possibility of increasing the greenbelt width to 50 feet along the Route 199 corridor but was concerned about the impact on some corridors characterized by relatively shallow properties. In addition, it was noted that East Rochambeau Drive is not listed as a greenbelt road, although it and parts of the adjoining Mooretown Road are generally referred to as part of

the Route 199 corridor. Based on this discussion, the Commission requested staff to develop a revised alternative that would include East Rochambeau and parts of Mooretown Road as greenbelt roads and that would increase the required buffer width to 50 feet where the majority of the corridor is undeveloped acreage.

Parking

- **Parking Standards:** It was noted that the parking ratio requirements are proposed to be amended to better match the list of land uses contained in the district regulations and to reduce the total number of required spaces, where feasible. For example, the standard for retail uses is proposed to be reduced from 5 spaces per 1,000 square feet of floor area to 4 spaces/1,000 s.f. In addition, additional landscaping is proposed to be required where the amount of parking provided exceeds the County-prescribed minimums. The goal of these and other proposed requirements is to minimize the amount of impervious surface on development sites. The Commission indicated its support for the proposed changes but also asked staff to investigate ways to require or encourage the placement of parking spaces behind buildings, rather than along the more visible street frontages.

Signs

- **Monument Signs:** The Commission discussed the proposed revisions that provide a sign area bonus for the use of “monument” signs and indicated its support.
- **Menu Boards:** The proposal to increase the allowable size of menu boards to 32 square feet was discussed and supported.
- **Maximum Wall Sign Area:** The proposed maximum limit of 200 square feet for wall signage was discussed and supported.

Mr. Carter indicated that staff would prepare a revised draft of the proposed amendments, to include the additional issues and alternatives requested by the Commission, for transmittal to the Commission as part of the November 12th agenda package.

There being no further business to be conducted, the meeting was adjourned at 8:55 pm.

Mark Carter
Acting Secretary